IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO: 3:04CR157

UNITED STATES OF AMERICA, Plaintiff,)	
v.)) ORDEI	₹
ANDRE McRAE,)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT upon the receipt of a letter, dated November 29, 2005, from Andre McRae, to Chief United States District Judge Graham Mullen (the "Letter"). In the Letter, Mr. McRae, who is currently in custody, calls into question the performance of his court-appointed lawyer and seeks the filing of an enclosed pro se Motion to Suppress.

The record reflects that Mr. McRae is represented by court-appointed counsel, Julia Grace Mimms. It is the practice of this Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. McRae has any matters he wishes this Court to consider, they must be submitted through his attorney.

IT IS, THEREFORE, ORDERED that to the extent Mr. McRae's letter constitutes a motion, that motion is **DENIED** without prejudice to his right to re-file the motion, if appropriate, through his attorney, Ms. Mimms. In light of Mr. McRae's critical comments concerning his lawyer, the case will be calendared for inquiry to counsel. Mr. McRae is **again** directed to stop filing any further motions pro se.

The Clerk of Court is directed to send a copy of the Letter to Ms. Mimms along with her copy of this Order.

Signed: December 2, 2005

David C. Keesler

United States Magistrate Judge